

#8/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-713-i23)

PATENT

RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

In re Application of:

Chad A. Mirkin, et al.

Serial No.: 09/976,900

Filed: October 12, 2001

For: NANOPARTICLES HAVING
OLIGONUCLEOTIDES ATTACHED
THERE TO AND USES THEREFOR

Examiner: J. Riley

Art Unit: 1637

Confirmation No.: 3590

Commissioner for Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as shown below.

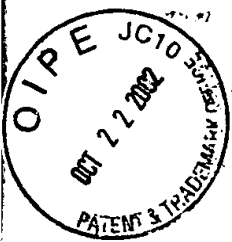
IN THE CLAIMS:

Please cancel claims 421 and 422, and add new claims 433-444 as shown below. A clean copy of the pending claims, after amendment, is attached as Appendix A.

- - 433. The method according to any one of claims 407, 412, or 416, wherein the oligonucleotides are attached to the nanoparticles in a stepwise ageing process comprising (i) contacting the oligonucleotides with the nanoparticles in a first aqueous solution for a period of time sufficient to allow some of the oligonucleotides to bind to the nanoparticles; (ii) adding at least one salt to the aqueous solution to create a second aqueous solution; and (iii) contacting the oligonucleotides and nanoparticles in the second aqueous solution for an additional period of time to enable additional oligonucleotides to bind to the nanoparticles.

10-23-02

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TRANSMITTAL LETTER

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir:

In regard to the above identified application.

1. We are transmitting herewith the attached:

- a) Preliminary Amendment
- b) Return Receipt Postcard

2. With respect to fees:

- a) No check is attached.
- b) General Authorization: Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee", addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on this 22 day of October, 2002 under the Express Mail label No. EL904285550US.

Date: 10/22/02

Respectfully submitted

Emily Miao
Registration No. 35,285